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REPORT

ON THE

ADMINISTRATION OF CRIMINAL JUSTICE

IN THE

NORTH-WEST FRONTIER PROVINCE

DURING THE YEAR

1912.

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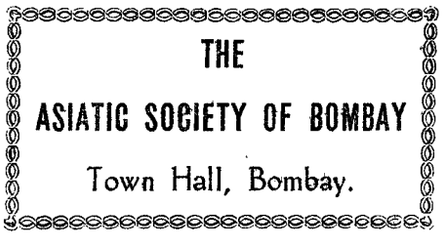

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REPORT

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Annual Report on the Administration of Criminal Justice in the North-West Frontier Province for 1912.

Review by the Chief Commissioner.

The salient feature of the Criminal Report for the year is that there has been a further increase in crime returned as true in all districts. The causes which may have stimulated the criminal progress of the inhabitants of each district during the year are discussed in the report, and these will no doubt have had some appreciable effect on the incidence of crime. The continued rise, however, of admitted crime cannot be satisfactorily accounted for by the idiosyncrasies of District criminal administration. This increase is not confined to any particular locality in the Province, nor is it peculiar to the North-West Frontier Province alone in the north of India, where statistics show that crime is now advancing out of proportion to the growth of population. Some general and persistent factors must be determining this upward tendency, but before they are discussed it is desirable to distinguish the increase in actual offences from the increase in what may be termed manufactured offences, and in offences arising from a stricter application of the law.

2. For this purpose the criminal statistics must be considered in some detail, though it is unnecessary to look back farther than the year 1907, when crime first began to rise in recent years. In that year 14,004 cases were admitted as true, of which 6,792 were under the Indian Penal Code and 7,212 under Local and Special Laws; in the year under review 19,766 cases have been so admitted, of which 10,605 fall under the Indian Penal Code and 9,161 under Local and Special Laws. There has thus been an addition of 5,762 cases to the Provincial criminal record, of which 3,813 and 1,949 fall respectively under the two sub-divisions specified. Included in Local and Special Laws are offences under the Hackney and Stage Carriages, Police and Punjab Laws Acts, which are the outcome of Police and Magisterial activity. These have increased by 1,983 to 3,217, which more than accounts for the whole expansion of the crime under Local and Special Laws, and they can accordingly be excluded from the discussion.

3. Referring now to the record of offences under the Indian Penal Code, we see that there has been a marked rise in serious crime during this period. Provincial Appendix A of the Criminal Justice Report for 1907 shows that in that year there were 2,561 cases of serious crime, while in 1912 the same classification includes 3,987 cases, amongst which murders have achieved an unfortunate record. At the same time the general percentage of discharges and acquittals in 1912 is higher than it has ever been during the period. Coincident with this advance in genuine crime a remarkable addition has occurred to the number of those trivial cases which are most frequently instituted without adequate cause. Under the heads Mischief, Hurt, Assault and Trespass alone, offences have risen by 1,944 to 6,010—figures which are responsible for over half of the increase in all offences under the Indian Penal Code. That these cases were for the most part frivolous, malicious, or connected with civil wrongs is shown by Judicial Statement No. 2, in which is recorded the fact that out of 13,602 persons under trial for these petty offences in 1912 no less than 11,642 were acquitted or discharged, a percentage of 85. On the other hand the same statements reveal that the number of cases brought to trial for contempts of the lawful authority of public servants and false evidence against public justice has remained stationary. There were 305 such cases in 1907 and 291 in 1912.

4. If we endeavour by an eliminative process to arrive at the causes underlying this undesirable state of affairs, in which the public, the Police and the Magistracy are all concerned, it must be admitted that the

people and their leaders are not more apathetic than formerly in rendering assistance to authority, nor is the absence of public opinion actively hostile to criminals more conspicuous now than a few years ago. The Police have no doubt made much progress in efficiency, though this progress may not have been as rapid as that of the more intelligent and astute criminals with whom they have now to deal. We are here, however, more immediately concerned with the action of the Courts, and so far as this is in question it cannot be gainsaid that the figures given above lead to two logical deductions—first, that the real criminal has a much better chance of escaping punishment in our Courts than he should have, and is emboldened by his immunity; and, secondly, that the public generally—as distinguished from the criminal class—are more and more using the Lower Courts for their own ends and abusing the procedure prescribed for the punishment of crime, while these Courts do little towards checking this contempt of their authority.

5. Our criminal administration, therefore, in the Chief Commissioner's opinion, needs strengthening, and greater respect for the power of the Courts requires to be forced both on actual offenders as well as the merely litigious public. It is a truism that at the base of the impotence of the higher Courts in the face of serious crime are the suppression of evidence and the giving of false evidence. The first matter is one for the executive authorities and the Police very largely, though the Magistracy can assist by their solicitude for the convenience of witnesses. The second rests with the Courts themselves, and it is of cardinal importance that cases of perjury even at the cost of valuable time should not be passed over, that all Magistrates should treat with severity proved perjury, and that as witnesses are protected by the fact that prosecutions for false evidence cannot be instituted without judicial sanction, such cases should invariably be prosecuted by the Public Prosecutor or other officer specially empowered. With the Judicial Commissioner's remarks on the insufficient use of Section 250, Criminal Procedure Code, and the noticeable fall in cases dealt with under Section 203, Criminal Procedure Code, during the past year, the Chief Commissioner entirely concurs. The supervisory system which has been adopted in the Bannu District in order to ensure the proper use by subordinate Courts of the former section might be tried with advantage in the other districts. The Chief Commissioner regrets that his criticism last year of the action of the Courts in this direction has not borne fruit. He can only suppose that it has been because the Review and Report for 1911 were not in the hands of Magistrates until the latter part of the year. Until this canker—namely the contemptuous disregard by witnesses of the penalties attaching to false evidence—at the root of our criminal procedure is excised, and until the resort of malicious and litigious complainants to our Courts can be checked, it will be difficult for the Courts to be restored the position which they should occupy in the scheme of criminal administration and to play a leading and successful part in the suppression of crime.

6. In a year in which the murder record has been the highest, the attention is arrested by the fact that the number of cases in which the death sentence has been confirmed is the lowest, with the exception of 1908, since the upward movement of crime first began. There is, however, a singular difference between the severity of the extreme penalty and its alternative, transportation for life. The duration for life of the latter sentence is anticipated by no criminal who escapes capital punishment. According to the principles recapitulated in the Memorandum attached to Home Department letter No. 756—764 of 15th September 1911, recommendations for the release of life convicts at Port Blair may be made after the expiry of 25 or 20 years, inclusive of remissions, according to the nature of the crime, and the recommendations may be accepted subject to the discretion of the Local Government. Similar principles regulate the release of prisoners sentenced to cumulative terms of imprisonment, as set out in Home Department Resolution No. 154—169, dated the 6th September 1905. The question of the release of such prisoners is ordinarily raised at the end of 14 years, though the circumstances of each case are taken into consideration. The policy is a definite one, which has been made applicable to the whole of British India, and the humane considerations on which

it is based are, generally speaking, incontrovertible. The Chief Commissioner, however, feels it incumbent on him to express the view that so bitter are the frontier feuds and vendettas which lead to murder, and, according to the Pathan social code, so compelling are the motives which force a tribesman to exact revenge from an enemy, that he has misgivings whether the clemency shown in the interpretation of life sentences of transportation and cumulative sentences of imprisonment is entirely applicable to a frontier community.

7. The Chief Commissioner is interested to observe that the Judicial Commissioner has revived the proposal for regulation of marriages, which was brought forward in 1904 in the Bannu District, but was not carried into effect, as the weight of opinion at that time was against its introduction. The Chief Commissioner will be glad to consider a registration scheme for experimental adoption in a selected area.

8. The discrepancies between the Criminal Justice and Police Administration reports have again been prominently brought to view, but these will be reconciled if a statement, as suggested by the Judicial Commissioner in his separate note, be attached to both reports in future.

9. The Chief Commissioner is indebted to the Honorary Magistracy for the material help which they have rendered in disposing of a large amount of work. As remarked in his review of the Civil Justice Report, he hopes that before long it will be possible to relieve pressure in the Peshawar Sessions Division. The Chief Commissioner's thanks are rendered to the Judicial Commissioner for a report which is both interesting and comprehensive.

D. B. BLAKEWAY,

Secretary to the Chief Commissioner,

North-West Frontier Province.

NATHIAGALI;
The 23rd August 1913.

N.-W. F. P. Govt. Press, Peshawar.—340 S. to C. C.—29-8-13—210.

No. 699.

FROM

W. P. BARTON, ESQUIRE, I. C. S.,

Judicial Commissioner, North-West Frontier Province.

To

THE HON'BLE MAJOR D. B. BLAKEWAY, C.I.E., I. A.,

Secretary to the Hon'ble the Chief Commissioner,

North-West Frontier Province.

Dated Peshawar, the 28th July 1913.

SIR,

I HAVE the honour to submit the Annual Report on the Administration of Criminal Justice in the North-West Frontier Province during the year 1912 together with the statistical tables prescribed by the Government of India.

I have the honour to be,

SIR,

Your most obedient Servant,

W. P. BARTON,

Judicial Commissioner, North-West Frontier Province.

TABLE OF CONTENTS.

[Maximum limit of Report, 10 pages.]

REPORT.

General Review of Offences.

	PARA.
Offences reported and admitted as true	1-2
Compensation under Section 250, Criminal Procedure Code	3
Offences under the Indian Penal Code.	
Offences under the Indian Penal Code	4
Serious offences under the Indian Penal Code admitted to have occurred ...	5-12
Local and Special Laws.	
Offences under Local and Special Laws	13
Miscellaneous proceedings under the Criminal Procedure Code	14-15
General Result of Criminal Trials.	
General result of criminal trials	16
District and Additional District Magistrates	17
Honorary Magistrates	18
European British subjects	19
Punishments.	
Punishments	20
Fines	21
Whippings	22
Appeals and Revisions.	
Appeals and Revisions	23
Frontier Crimes Regulation.	
Frontier Crimes Regulation	24
Sessions Courts.	
Work of Sessions Courts	25
Judicial Commissioner's Court.	
Work of Judicial Commissioner's Court	26
General	27-30

APPENDIX.

Judicial Statements.

No. 1.—Statement showing the number of Judicial divisions and the number of officers exercising Appellate or Original jurisdiction in the North-West Frontier Province on the last day of the year 1912 with the cost of the tribunals.

No. 2.—Statement of offences reported and of persons tried, convicted and acquitted of each class of offence in the North-West Frontier Province in the year 1912.

No. 3.—Statement of miscellaneous proceedings under the Criminal Procedure Code in the North-West Frontier Province during the year 1912.

No. 4.—Statement showing the general results of criminal trials in the tribunals of various classes in the North-West Frontier Province in the year 1912.

No. 5.—Statement showing the punishments inflicted by the various criminal tribunals in the North-West Frontier Province in the year 1912.

No. 5-A.—Statement showing the particulars of whippings inflicted by the criminal tribunals in the North-West Frontier Province during the year 1912.

No. 6.—Statement showing the result of appeals and revisions in criminal cases in the North-West Frontier Province in the year 1912.

No. 13.—Statement showing the use of Juries and Assessors in the Criminal Courts in the North-West Frontier Province in the year 1912.

Provincial Appendix A.

Statement of serious offences under the Indian Penal Code admitted to have occurred during 1912 in each district of the North-West Frontier Province.

Provincial Appendix B.

Statement showing the Criminal references to Councils of Elders under the Frontier Crimes Regulation in each district during the year 1912.

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Report on the Administration of Criminal Justice in the North-West Frontier Province during the year 1912.

Offences reported and admitted to have occurred.—Judicial Statement No. 2.

THE total number of offences of all kinds reported during the year was 25,593 as against 25,624 in 1911. Of these 19,766, or 77 per cent. as compared with 70 in 1911, were returned as true.

The following table exhibits the fluctuations in each district during the past two years :—

DISTRICT.	Offences reported.		Complaints dismissed *in limine*.		Cases struck off as false.		Offences admitted to have occurred.		COMPENSATION UNDER SECTION 250, CRIMINAL PROCEDURE CODE.			
									Cases.		Amount awarded.	
	1911.	1912	1911.	1912.	1911.	1912.	1911.	1912.	1911.	1912.	1911.	1912.
											Rs. A.	Rs. A.
Peshawar ...	9,053	9,674	1,239	1,010	233	241	7,581	8,423	84	89	990 8	1,657 0
Hazara ...	6,324	5,889	2,978	1,738	230	194	3,116	3,957	41	26	716 0	300 8
Kohat ...	3,241	2,951	312	187	160	150	2,769	2,614	17	6	534 0	56 0
Bannu ...	4,314	4,188	1,629	1,335	62	100	2,603	2,753	55	59	461 0	787 0
Dera Ismail Khan.	2,692	2,891	581	769	117	103	1,994	2,019	34	25	448 0	345 0
Total ...	25,624	25,593	6,739	5,039	822	788	18,063	19,766	181	205	3,089 8	3,145 8

The increase is chiefly in offences under the Indian Penal Code, which have risen by 1,723 from 18,043 to 19,766 : under Local and Special Laws there is an increase of 449 from 8,712 to 9,161. The figures refer to the classification of cases admitted to be true. The increase is chiefly in petty forms of crime, and this is explained almost entirely by diminished use of Section 203, Criminal Procedure Code, which is a marked feature of the criminal administration of the year in all districts except Dera Ismail Khan. Cases so treated have fallen from 6,739 in the previous year to 5,039 in the year under report. The latter figures are the lowest since 1907 for dismissals *in limine*. No explanation of the phenomenon is offered by any District Magistrate. The fall in the figures is not coincident with an improvement in convictions : on the contrary the percentage of convictions to persons tried shows a diminution ; and the only reason that can be given for the failure of the Courts to make more use of the section in question is the growing perfunctoriness on the part of Subordinate Magistrates, and perhaps in some cases a weakening of supervision. That there was plenty of scope for the application of summary measures of disposal is indicated by the fact that 10,346 persons were discharged in the absence of the complainant, while 12,694 were discharged or acquitted after trial. It is impossible to believe that there was even the germ of a grievance calling for redress through the agency of the Criminal Courts in the majority of cases to which these figures refer. Minor hurts, assaults and criminal trespass, which form the bulk of petty litigation under the Indian Penal Code, can usually be proved by oral evidence if they in fact occurred ; and the large number of persons who escaped punishment after trial is a true index of the extent to which the law is abused. Despite the fact that the charge was not found to be established after trial in the case of 12,694 persons, the amount of compensation awarded was only Rs. 3,145-8-0 under Section 250, Criminal Procedure Code. So slight a use of the corrective to frivolous litigation as these results imply can scarcely have any appreciable effect in checking frivolous and vexatious litigation. The

problem of dealing with such litigation has been discussed *ad nauseam* in the reports of the previous years. It is time that serious efforts should be made to improve the situation. It would probably not be beside the mark to say that nearly two-thirds of the cases which come before the Courts under the Indian Penal Code have no reference to facts constituting criminal offences. Their object is blackmail, to harass an opponent, or to enforce a right or supposed right by means of pressure which can be exerted by proceedings in the Criminal Courts. It cannot be denied that the exacerbation of feeling in the victims of this immense volume of frivolous proceedings creates a situation favourable to an increase in real crime. The Courts where the moral fibre is weakest are those of Tahsildars and Naib Tahsildars. These Courts dispose of the bulk of petty work under the Indian Penal Code. It would be an improvement if a great part of this could be handed over to the Courts of 1st Class Magistrates for disposal. Officers of this standing might be expected to show more determination in dealing with frivolous complaints at the outset. At any rate it is undesirable that Naib Tahsildars, most of whom are inexperienced, should be made responsible for such a large part of the criminal work, which from its peculiar nature requires trained judicial capacity for its proper disposal. Another point on which it is necessary to insist is that Magistrates should record the statements of complainants with their own hands. This will prevent perfunctory issue of summons in cases which ought not to be allowed to go to trial. District Magistrates could satisfy themselves that this rule is being observed by calling for a dozen files or so during each month. Finally, an excellent arrangement, which, I understand, has been introduced in Bannu by Major Stewart, might be adopted, *viz.*, that the records of all cases disposed of by Magistrates of the 2nd and 3rd class in which the accused has been acquitted or discharged should be examined by a Sub-Divisional or other senior Magistrate with a view to ascertaining whether the provisions of Section 250, Criminal Procedure Code, are being duly observed. This will ensure that attention is paid to Section 250, Criminal Procedure Code. It should also be clearly understood that officers who persistently lend themselves as tools to the speculative litigant on the criminal side will run the risk of being deprived of their powers or of having their promotion stopped.

2. As may be inferred from the facts stated in the foregoing paragraph, there has been no real increase in petty crime. On the other hand the figures for more serious crime under the Indian Penal Code show an upward tendency. This is the more marked in the case of murders, which have increased from 260 to 328: attempts at murder have risen from 79 to 118: serious cases of hurt from 350 to 380, thefts from 959 to 1,198, and burglaries from 940 to 1,033. The expansion in crime is more remarkable in the districts where the Pathan element predominates, *viz.*, Peshawar, Kohat and Bannu, especially as regards violent crime against the person. For example, murders have risen from 130 to 165 in Peshawar, the highest figure in the decade except in 1910, the figures for which (177) constitute the record since the formation of the Province. Attempts at murder exceeded the figure for 1911 by 24 (25 to 59), and there was an increase of 21 in cases of serious hurt. The increase is less startling in Kohat and Bannu. Serious offences against property increased throughout the Province: the rise is again more noticeable in Peshawar.

Compensation under Section 250, Criminal Procedure Code.—Judicial Statement No. 2, column 10, and No. 3, head 6.

3. Section 250, Criminal Procedure Code, was applied in 205 cases against 181 in 1911. The Peshawar magistracy was pre-eminent in this respect, the figures for the district having increased from 34 to 89. Bannu and Dera Ismail Khan show a decrease, and very little use was made of the section in Kohat.

OFFENCES UNDER THE INDIAN PENAL CODE.

Offences under the Indian Penal Code.—Judicial Statement No. 2.

4. Of the total number of 25,593 offences of all kinds reported during the year, 14,936, or 58 per cent. as compared with 56 in 1911, were under the Indian Penal Code; and of these 71 per cent. as against 66 per cent. were returned as true. The table given below

shows the number of offences reported, admitted as true and brought to trial during the past two years :—

District.	Year.	Offences reported.	Offences admitted to have occurred.	Offences brought to trial.	Cases ending in conviction.	Percentage of convictions to offences.	
						Admitted to have occurred.	Brought to trial.
Peshawar	1911	4,231	2,981	2,763	893	30	32
	1912	4,395	3,291	3,023	996	30	33
Hazara	1911	4,171	2,101	1,621	422	20	26
	1912	4,045	2,646	2,076	384	15	18
Kohat	1911	1,583	1,255	915	259	20	28
	1912	1,625	1,308	1,045	327	25	31
Bannu	1911	2,240	1,621	1,295	290	18	22
	1912	2,516	1,830	1,594	413	23	26
Dera Ismail Khan	1911	2,041	1,403	1,140	224	16	20
	1912	2,355	1,530	1,293	276	18	21
Total ...	1911	14,266	9,361	7,734	2,088	22	27
	1912	14,936	10,605	9,081	2,396	23	27

There has been an increase of 1,244 cases admitted as true, and this is distributed over all the districts of the Province. The explanation is that given in the preceding paragraphs.

In connection with offences generally in the Peshawar District, the Sessions Judge (Mr. Rennie) remarks :—

"The most disquieting feature of the year was the alarming increase in violent crime, both successful and unsuccessful, directed against the person. Murders increased from 130 to 165, while 5 other similar offences were committed in conjunction with house-breaking; attempts rose by 136 per cent., and the only decrease was one of the three cases in homicides not amounting to murder. There was a similar rise in the number of less serious offences with the exception of riots, and while cases of rape remained stationary, unnatural offences rose by 100 per cent. Dacoities provided the one satisfactory exception in a particularly criminal year, but burglaries showed an increase of exactly 60 per cent. That serious crime is on the up grade cannot be denied, and there can, I think, be little doubt that this is due, as remarked by the District Magistrate,

(*i*) to the unconcern with which outlawry is regarded;

(*ii*) to the infrequency of the death sentence during recent years.

"Political considerations do, no doubt, make it desirable in recognition of Pathan sentiment to permit the repatriation of outlaws, but the figures speak for themselves, and if, as is to be gathered from the District Magistrate's remarks, repatriation has been made easier than hitherto, it is not without significance that the policy should coincide with a general all-round rise in crime.

"On the other hand, the immunity from punishment enjoyed by criminals, and more particularly by murderers, during the period under review cannot but have disastrous effects upon potential law breakers."

The percentage of convictions to offences admitted and brought to trial was 23 and 27 as against 22 and 27 respectively in 1911. Hazara is the only district in which deterioration has occurred in this respect, the percentage of convictions to cases admitted and brought to trial having declined from 20 and 26 to 15 and 18 in the year under review.

Serious offences under the Indian Penal Code admitted to have occurred.—Provincial Appendix A.

5. Provincial Appendix A, which may be said to furnish a fairly reliable index to the state of serious crime in the Province from year to year, shows that since 1906—the low-water mark of crime in the decade—the volume of serious crime has steadily risen by 63 per cent., the percentage of increase over last year's figure being 12 per

cent. The decreased use of Section 203, Criminal Procedure Code, however, affects the figures, especially as regards thefts, and the true percentage is considerably lower. It must, however, be admitted that there has been a rise in serious offences against human life and property throughout the Province. The subject is discussed in the ensuing paragraphs.

6. In Peshawar, as already stated, there has been a marked increase in cases of murders, attempt at murder, hurt with aggravation, unnatural offences, theft, robbery, mischief with aggravation, criminal trespass resulting in death or grievous hurt, and criminal trespass for the commission of other serious offences. The District Magistrate ascribes this increase to the fact that outlawry is no longer feared as it was when a man had no hope of repatriation. The infrequency of the death sentence is also referred to in this connection.

As regards the murder record for Peshawar, it is interesting to note that no murder is shown to have been committed in pursuance of a blood-feud. The same was the case last year, and if the assertion is to be accepted as true, it might be presumed that the blood-feud had become extinct in Peshawar. Probably, however, the 23 murders ascribed to old enmities really belong to the blood-feud category. Disputes relating to women constitute the predominant factor in the record, and to this cause 82 murders are imputed, an increase of 33 on last year's figures. Murders of this type are usually preventible, and it may fairly be assumed that the increase is largely due to insufficient measures under Section 41, Frontier Crimes Regulation, or to the inadequacy of the security taken. Reference may here be made to the fact that the number of persons bound over under Section 41, Frontier Crimes Regulation, in the Peshawar District has decreased from 2,215 in 1910 to 644 during the year under report. The figures were 1,331 for 1911. The inference that there is at least a direct relation between the rise in the figures for murders and other violent crime against the person in Peshawar and the decreased activity in preventive measures is almost irresistible. The infrequency of the death penalty may be a contributing cause, but this is not an inconstant factor, and it is doubtful whether its operation was stronger in 1912 than in earlier years. The policy of repatriation of outlaws may have had an unfavourable influence on crime both in Peshawar and in Kohat, but, on the other hand, it ensures a quieter border, which has the effect of diminishing violent crime. In the deliberately planned murder, the conspirator usually expects to escape detection: in the case of the murder committed in a state of violent excitement, the question of outlawry probably does not occur to the actors in the tragedy. It would have been interesting in this connection to have had the figures of outlawries in murder cases for the past year.

7. In regard to other serious crime in Peshawar, it is satisfactory to note that organized dacoity, which was a marked feature of last year's record, shows a decrease. The falling off in crime by trans-border men is also noticeable. This, as remarked by the District Magistrate, is doubtless in some degree due to repatriation of outlaws. Robberies, on the other hand, show an increase by 9 to 21 as against 12 in the previous year: thefts have risen from 316 to 381, and burglaries from 217 to 344. This expansion in criminal attack on property may be due to some extent to the high prices of food-grains which prevailed during the year. The explanation does not, however, go far enough, as prices have shown an upward tendency for years past. A more probable reason seems to be the more restricted use of preventive measures. The number of persons bound over under Section 110, Criminal Procedure Code, in 1910 was 349. In the succeeding year the figures were 275: they have now fallen to 211. Another cause may be the spread of the gambling habit, which is the curse of the district. The chances of escape as indicated by the low percentage of convictions is an added encouragement to the professional depredator. This is due partly to the inherent difficulty of the problem of detection: partly to the progressive abandonment by the Police of the time honoured, if harsh, methods of detecting crime. As remarked in last year's report, there is reason to believe that in many cases the burglar and thief have many of the Khans and leading maliks on their side, and so long as this is allowed to continue, the Police will find themselves hampered and checkmated at every turn.

8. In Kohat the expansion of crime is confined chiefly to murder and attempts at murder, theft, robbery and serious forms of mischief. Murders have increased by 14 to 72, attempts by 15 to 35, thefts by 44 to 170, robberies by 10 to 19, and mischief by 18 to 51. No attempt is made by the District Magistrate to explain the situation. Decreased recourse to the preventive law is not so strong a factor here as in Peshawar, though there has been a decrease of 114 in the number of persons bound over under Section 41, Frontier Crimes Regulation. If, however, the great majority of these murders was due to the relations between the sexes, as remarked by the District Magistrate, the conclusion that preventive action was not as efficient as it should have been can hardly be avoided. The extent to which the trans-border element contributed to the crime of the district is not given, but it appears that the major part of the crime was the work of British subjects. The increase in serious cases of mischief is regrettable. This class of crime can as a rule only be dealt with by enforcing communal responsibility.

9. Serious offences under the Indian Penal Code in Hazara have increased from 717 to 905. In discussing the figures, the District Magistrate (Mr. Pipon) criticises the value of the statistics of crime given in Appendix A as an index of the criminality of the district from year to year. He points out that the figures include all complaints not dismissed *in limine* whether a subsequent trial shows them to be true or false; and as many such cases which go to trial are in fact false, the value of the record of serious crime is considerably diminished. There is some force in the criticism, but at the same time it must be pointed out that with the exception of theft, rioting, and perhaps robbery, the offences detailed in Appendix A are not of a kind which lend themselves to the institution of proceedings by complaint. The risk of immediate exposure in bringing a false complaint of, say, grievous hurt is too obvious to need discussion. Similarly, to ensure any attention to a fictitious complaint of serious mischief, a complainant would be under the necessity of destroying some valuable property. It is hardly conceivable that a Court would issue process and set itself to try a dacoity or murder case without a preliminary police enquiry, and it would probably refer a case of burglary which appeared to have some semblance of reality to the same agency. Viewed in this light, Mr. Pipon's criticisms lose a good deal of their weight, but at the same time they expose a real defect in criminal statistics, and attempts will be made to secure in future a closer correspondence between the figures and actual facts. Instructions on the subject were issued in the form of a circular in February of the present year.

On the subject of the diminished use of Section 203, Criminal Procedure Code, in petty criminal litigation in Hazara, the District Magistrate remarks as follows :—

"Then again I would like to modify somewhat the remarks I offered last year on this form of litigation. It is most rash to assume that it is all baseless. It may be false in the sense that no real crime has occurred, but in 80 per cent. of the complaints there is some genuine grievance. The increase is most noticeable in complaints of theft, mischief and trespass, and almost all of these are cases connected with land. Where land tenure is complicated, holdings small, and the pressure on the soil severe, disputes are inevitable. They come constantly into criminal courts for two reasons—(1) a civil decree is a barren luxury: the judgment-debtor quietly disregards it, and the decree-holder is driven to seek redress by showing that his opponent has stolen the crops or committed mischief or trespass on the land; (2) the settlement of such disputes out of Court by petty officials, such as Patwaris, Kanungos, and even minor Police officials, is a thing of the past. These are being relegated to their more correct position of servants and not masters of the public. But we have lost thereby some curiously efficient local tribunals. Their extent and influence has often been overlooked in lamenting the disappearance of *panchayats* or *jirgas* as local substitutes for the Law Court.

"In saying that 80 per cent. of fruitless litigation is founded on some real grievance, I speak with some confidence, as a District Magistrate sees it nearly all on revision proceedings, and I am the less ready to criticise Subordinate Magistrates too severely, as one's own experience shows how extraordinarily difficult it is to decide whether after all the accused did not at least deserve a nominal penalty to enforce the rights of ownership or possession which are in dispute. Still more difficult is it to make a man pay compensation for a frivolous complaint when one feels that, though the complaint may be wrong in form and hopelessly prosecuted, the complainant is really an injured person. In fact those who suffer under Section 250 are

often those who merely cannot suborn sufficient witnesses to perplex the issue effectually. A Magistrate who wishes to gain a reputation for quick and effective disposal of false complaints is often led into much injustice. As to prosecutions for perjury, one can only say that it is as hard to prove falsity as to prove truth. A prosecution for perjury probably relies itself on perjured evidence. We are passing through a stage of transition. Better communications and the break up of archaic tribunals are driving all disputes to the Courts. The spread of education alone will reduce the fatally easy abuse of criminal litigation."

The problem of criminal administration in Hazara is hedged with difficulties. The people are vindictive and quarrelsome, and a long experience of the Law Courts has taught them the tricks by which legal machinery may be abused to further their own ends. If defiance of the authority of the Courts and of the executive has reached the limits which the District Magistrate's remarks imply, it is time that drastic action should be taken to restore the balance. An obvious remedy is that orders should issue that all cases in which the offence complained of has reference to the execution of a decree of a Court, whether Civil or Revenue, or to the orders of a Revenue Officer, should be reported to the District Magistrate, who could then ensure that proper action is taken to enforce respect for authority. It may be true as observed by the District Magistrate that 80 per cent. of the complaints brought represent real grievances, and that the accused at least on moral grounds deserve some punishment. The argument is, however, beside the mark. What it should be the object of the authorities to prevent is the abuse of criminal process of law with its attendant evils, and the Courts must stiffen their backs for the work. There is no real excuse for the popular attitude. Ample means are available under the Civil, Revenue and Frontier Crimes Law for the redress of grievances of a real nature, and the people are fully aware of the fact. It is a curious phenomenon of social life in Hazara that the open sore created by the endless litigation in the Criminal Courts does not lead to a notable increase in the more serious forms of crime. The explanation probably is that the sufferers are content to retaliate in kind when the opportunity arises.

There has been some increase in the more serious forms of crimes. The largest increase is in theft (316 to 381), but most of these are petty; and as the uncertain factor of the frivolous accusation works in this class of offences, it is difficult to say whether there has been an actual rise. Murders have increased by 5 to 25, and exceed the average for the past ten years by 6. It is useless to speculate as to the cause of the increase. The District Magistrate's remarks on the subject of compositions are interesting in this connection. He writes as follows:—

"An attempt has been made this year to follow the policy laid down in paragraph 8 of the Hon'ble the Chief Commissioner's Review for 1911, and compositions when effected by *jirgas* and verified as genuine have been freely allowed even in heinous cases.

"The method of giving effect to these compositions has of necessity varied.

"In some cases the accused has been shown as convicted and sentenced to a fine payable as blood money; in others, where the finding involved such compensation as a betrothal or transfer of land, the accused was discharged and subjected to a decree under Section 8, Frontier Crimes Regulation."

How far these methods in a district like Hazara, which is not essentially Pathan, are likely to be successful can only be a matter of experience. The other heads which show a rise in last year's figures are mischief with aggravation, burglaries and dacoities. The former class of offence, which usually takes the shape of rick burning, has shown an upward tendency of late years. The average of the decade is 53: 104 offences are stated to have occurred last year, an increase of 36 on the figures for 1911. This species of crime is most difficult to detect, and the only method of checking it is to enforce communal responsibility where possible. In some cases a customary settlement might be suitable. The ten years' average for burglaries is 130. This is exceeded by 114 in the year under report. There was an excess of 24 in last year's figures. This class of crime appears to be on the increase. The reasons are probably the same as those suggested in the case of Peshawar. In this connection it is

interesting to note that only 10 persons were bound over under Section 110, Criminal Procedure Code, during the year under report. Dacoities increased from 13 to 18; 10 of those were committed by outlaws or trans-border men, which explains the rise.

10. In Bannu murders have increased by 11 to 48, but the increase is largely counterbalanced by a decrease of 6 in the number of attempts and of 4 cases of culpable homicide. The activities of trans-border offenders were less in evidence, while at the same time extraordinary measures were taken for the protection of the border against their depredations. The figures for thefts were practically stationary, and there was a falling off in robberies, mischief with aggravation and dacoities. The District Magistrate remarks:—

"Organized crime, both trans-border and internal, shows a satisfactory decrease. Only five cases occurred during the year of outrages of Khost outlaws. Three of these resulted in the kidnapping of Hindus; one, shown as a separate offence, was due to the raiders capturing some camels on their return journey; and the fifth was an unsuccessful attempt on the village of Boza Khel. Strenuous efforts were made during the year to make the depredations of the marauding gangs of Khost as difficult a task as possible, and special measures had to be adopted to achieve this object."

11. The increase in cases affecting property in the Dera Ismail Khan District is ascribed to the high prices of food-grains and the scarcity prevailing during kharif 1911. Here again it is possible that the decrease in the number of persons dealt with under Section 110, Criminal Procedure Code, may have been a contributory cause. 77 persons were bound over in 1910: only 26 in 1911 and 46 during the year under report.

The majority of dacoities, which rose from 8 to 22 during the year, were the work of trans border men and outlaws. Some of these were very minor affairs and only technically dacoities. Political action was taken in most cases against the Mahsuds and Bhittanis concerned by the Political Agent, Wana.

12. In a year when so many murders are ascribed to disputes relating to women it is instructive to note that 653 complaints were instituted of offences relating to marriage mostly under Section 498, Indian Penal Code. The majority was provided by Bannu and Peshawar. Of these complaints 405 were brought to trial, only 43 of which ended in conviction. Most complaints of this kind embody a real grievance, and the results of the trials show that very little satisfaction was obtained in the Criminal Courts. On the theory that prevention is a better remedy for Pathan criminality than the process of Court, it may be suggested that in cases of this kind, in which a genuine grievance exists, the dispute should be settled forthwith under Section 8, Frontier Crimes Regulation. The problem owes its importance in a large degree to the disproportion between the sexes—there are only 859 females to 1,000 males—in the Province, and also to the difficulties of proving marriages. Registration of marriages would effect an improvement, and this has been tried with success in some parts of the Punjab.

LOCAL AND SPECIAL LAWS.

13. The number of offences reported under the Local and Special Laws was 10,657 as compared with 11,358 in 1911.

The increase in cases under the Arms, Canals, Cattle Trespass, Contract, Workmen's, Hackney and Stage Carriages, and Police Acts is more than counterbalanced by a decrease in cases of security both under the Criminal Procedure Code and Frontier Crimes Regulation. Of the total number reported 9,161 as against 8,702 in 1911 were admitted to have occurred.

The increase under the Canals Act is confined to Bannu: the explanation given is scarcity of water owing to failure of rains for a greater part of the year and consequent theft of water. Railway construction in the Bannu and Hazara districts was responsible for the increase in cases under Contract Workmen's Act. The fact that only 39 persons were convicted out of 520 before the Courts under this Act raises the suspicion that the provisions of the law may in some cases be abused.

14. The number of persons proceeded against for security to keep the peace and for good behaviour, and also the number of persons dealt with under the security provisions of the Frontier Crimes Regulation during the past two years are shown in the table given below :—

Miscellaneous proceedings under the Criminal Procedure Code.—Judicial Statement No. 3, and Security cases under the Frontier Crimes Regulation.—Judicial Statement No. 2-A.

PROCEEDINGS.	Year.	TOTAL PERSONS.									
		PESHAWAR.		HAZARA.		KOHAT.		BANNU.		D. I. KHAN.	
		Disposed of.	Convicted.	Disposed of.	Convicted.	Disposed of.	Convicted.	Disposed of.	Convicted.	Disposed of.	Convicted.
Breach of peace, Chapter VIII, Criminal Procedure Code.	1911	2,049	812	368	231	514	292	349	252	241	91
	1912	2,381	741	154	135	213	168	235	109	448	99
To prevent murder, Section 40, Frontier Crimes Regulation.	1911	15	12	1	1	11	9	36	36	...	...
	1912	12	11	...	...	5	5	23	23	7	6
Families with blood feuds, Section 41, Frontier Crimes Regulation.	1911	1,560	1,331	210	190	1,561	1,218	784	761	118	110
	1912	783	644	74	70	1,138	1,009	306	287	53	49
Further security, Section 46, Frontier Crimes Regulation.	1911	197	140	...	...	293	217	...	...	2	2
	1912	115	58	...	...	157	132	...	...	...	...
Total ...	1911	3,821	2,295	579	422	2,319	1,736	1,169	1,049	361	203
	1912	3,291	1,454	228	205	1,513	1,314	564	419	508	154
Security for good behaviour, Section 110, Criminal Procedure Code.	1911	331	275	80	50	97	78	73	54	29	26
	1912	259	211	16	10	122	84	51	40	46	31

The marked decline in cases in which security was demanded under Section 107, Criminal Procedure Code, is satisfactory, indicating as it does, that the section has been less abused than formerly. As regards security proceedings in the Hazara District, the Sessions Judge observes :—

"The rise in the number of offences admitted is coincident with the decline of activity in the employment of the preventive law. It would, however, be rash to conclude that one is the direct cause of the other. The question of security as noticed in the last report is one that bristles with difficulty. Last year, in consequence of the misuse to which in many cases the provision of law was put, special orders were issued to the subordinate magistracy with a view to curtailing the wholesale requisition of security on inadequate grounds. These orders have since been in force, but it is a question whether the Magistrates are not now going to the opposite extreme and are substituting inaction for action even though misdirected."

Security for good behaviour.

15. The number of persons required to give security for good behaviour under Section 110, Criminal Procedure Code, fell from 483 to 376. The decrease is most marked in Peshawar and Hazara. The probable consequence of diminished activity in preventive measures of this class has been elsewhere discussed.

GENERAL RESULT OF CRIMINAL TRIALS.

16. Out of 38,678 persons for disposal as compared with 36,691, the cases of 37,807 were disposed of. Of these 22,807 were discharged or acquitted and 15,957 were convicted.

It is to be regretted that the percentage of discharges and acquittals rose from 55 to 60. The increase is most marked in Hazara, Bannu and Dera Ismail Khan. In the last mentioned district 88 per cent. of the persons brought to trial before 2nd and 3rd class Magistrates were discharged or acquitted. As already observed, the cause is to be sought in the diminished use of Section 203, Criminal Procedure Code.

17. District Magistrates disposed of 29 cases under their ordinary powers and 4 cases under their enhanced powers under Section 30, Criminal Procedure Code as compared with 34 and 12 cases in 1911, and 1,785 under the Frontier Crimes Regulation against 1,549. The District Magistrates of Kohat and Bannu did not take up a single case under Section 30, Criminal Procedure Code. The inability of District Magistrates to dispose of a fair proportion of cases under Section 30, Criminal Procedure Code, is regrettable. The policy of leaving most of this important work to Indian Additional District Magistrates is at least open to question. In Kohat, it may be noted, the majority of the cases tried by the Additional District Magistrate ended in failure.

Additional District Magistrates disposed of 1,183 cases under their ordinary and 181 under their enhanced powers as compared with 1,386 and 175 respectively in 1911.

Under Section 562, Criminal Procedure Code, 6 persons were released on probation—2 in Hazara, 1 in Kohat and 3 in Dera Ismail Khan. It is scarcely credible that no suitable occasion for applying the section occurred in Peshawar.

Honorary Magistrates.

18. Honorary Magistrates sitting singly and in Benches disposed of 1,319 and 1,705 cases as against 784 and 1,359 respectively in 1911, and rendered useful service to the criminal administration.

19. In Peshawar one European British subject was brought to trial under Sections 304 and 304-A, Indian Penal Code, and was acquitted by the Chief Court, Punjab. In Hazara a European British subject was convicted under Section 323, Indian Penal Code.

PUNISHMENTS.

Punishments.—Judicial Statement No. 5.

20. Capital sentence was passed by the Sessions Judges on 33 persons as against 48 in 1911. In 15 out of the 24 cases disposed of the sentence was confirmed by the Judicial Commissioner.

The percentage of cases in which the death sentence was confirmed was 62·5 as compared with 35·4 in the previous year.

In the cases of seven the sentence was commuted to transportation for life while the conviction and sentence of one was altered. One person under sentence of death was acquitted. In the Peshawar Sessions Court, although the number of persons committed was the largest since the inauguration of the Province, only 19 persons were sentenced to death, and of these only 7 paid the extreme penalty of the law. Commenting on the figures of his Court, the Sessions Judge, Peshawar, remarks:—

"Compared with Western standards, these results give no grounds for satisfaction. In Germany, as noted in the Hon'ble the Chief Commissioner's review for 1911, the percentage of convictions to murders amount to no less than 95 per cent., and in other European countries it is exceptional for a murderer to escape punishment. Anything approaching such results is impossible of attainment in this country. The inferior detective ability of the investigating agency, the unreliable and perjured character of evidence, the disinclination of assessors to convict, and the apathy and often active hostility of the public are factors with which it is frequently impossible to cope, and in the absence of the clearest evidence, both ocular and circumstantial, many persons whose guilt is morally not open to doubt are enabled to go scot-free."

The number of persons sentenced to rigorous imprisonment was 2,889. Of these 1,058 were awarded solitary confinement as part of their substantive sentence. The proportion of persons sentenced to rigorous imprisonment to whom solitary confinement was awarded was 37 per cent. as against 32 per cent. in 1911. In Peshawar the proportion was 35 against 32. In Hazara the proportion rose from 37 to 51, in Kohat from 19 to 23, in Dera Ismail Khan from 32 to 42, while in Bannu it fell from 43 to 42.

These results are generally satisfactory, but there is still room for improvement.

21. The total fines imposed during the year amounted to Rs. 1,08,844 as compared with Rs. 1,46,786. A sum of Rs. 87,145, or 80 per cent. as compared with 77 in 1911, was realized. Out of this Rs. 12,066 were paid as compensation as against Rs. 29,695 in the preceding year.

Fines.

The District Magistrate, Peshawar, remarks :—

"There is still a strong tendency on the part of Indian Magistrates to impose fines in addition to imprisonment in cases where no fine is necessary, and there is little hope of recovering it."

22. Sentences of whipping totalled 97 under the regular law and 23 under the Frontier Crimes Regulation as compared with 90 and 4 in 1911. The number of juveniles whipped was 9 as against 5 in 1911.

Whipping.

APPEALS AND REVISIONS.

23. Out of 840 persons who appealed to the District Magistrates 265, or 33 as against 32 per cent., had their sentences reduced or reversed. Of the 707 persons who appealed to the Sessions Judges, the sentences of 203 as compared with 295 in 1911 were reduced or reversed.

District Magistrates and Sessions Judges enhanced the sentences of 16 and 15 persons on appeal respectively under Section 11 of the Frontier Crimes Regulation. The average duration of appeals in the Courts of District Magistrates and Sessions Judges was better than last year, being 10 and 7 days.

FRONTIER CRIMES REGULATION.

24. A table is attached as Provincial Appendix B, which shows that the number of references to Councils of Elders under Section 11, Frontier Crimes Regulation, fell from 429 in 1911 to 367 in the year under review. The figures for 1912 include 7 cases under Section 110, Criminal Procedure Code, which were tried erroneously by the District Magistrate, Bannu, under Section 11, Frontier Crimes Regulation. The orders passed have been revised by the Chief Commissioner.

The percentage of convictions rose from 37 to 46. In Hazara and Kohat it declined from 56 and 54 to 33 and 38 respectively, and in Dera Ismail Khan from 49 to 46. The decline in Hazara is apparently explained by the fact that in several cases a composition was accepted and the accused discharged.

SESSIONS COURTS.

25. The table given below shows the criminal business disposed of in the two Sessions Courts of the Province :—

Sessions Court.	Sessions cases.		Criminal appeals.		Criminal revisions.	
	1911.	1912.	1911.	1912.	1911.	1912.
Peshawar	61	81	321	311	69	66
Derajat	33	43	186	208	49	46

The number of Sessions cases disposed of in Peshawar was the largest recorded for the preceding 11 years.

The percentage of persons convicted to persons disposed of was 57 in Peshawar and 64 in Derajat as compared with 78 and 61 respectively. The low percentage in Peshawar is ascribed to the failure to secure conviction in two big riot cases in which 30 persons were acquitted. The percentage of cases in which conviction followed was 80·3 in Peshawar.

The average duration of Sessions cases was 32 days in Peshawar and 46 in Derajat.

The average duration of appeals was 8 days in both Courts. Of the cases of persons whose appeals were disposed of by the Sessions Judges, 30 per cent. had their sentences reduced or reversed. Two Courts were inspected by the Sessions Judge, Peshawar, and none by the Sessions Judge, Derajat. It is hoped that in future the latter officer may be able to devote some time to this work.

JUDICIAL COMMISSIONER'S COURT.

26. The amount of criminal business disposed of is shown in the table below :—

Year.	Murder References.		Criminal Appeals.		Criminal Revisions.	
	Cases.	Persons.	Cases.	Persons.	Cases.	Persons.
1911	48	48	151	238	164	258
1912	24	24	121	159	133	200

The number of capital sentences passed by the Sessions Judges which came before the Judicial Commissioner was 33, of which 15 were confirmed and 7 commuted to transportation for life, while 9 remained undisposed of at the close of the year.

The conviction and sentence of one person was altered, while one was acquitted. The average duration of appeals was 36 days.

The Judicial Commissioner inspected the following Courts during the year :—

Peshawar.—Assistant Commissioner and Additional District Magistrate, Mardan; 2 Magistrates, 1st class.

Hazara.—Additional District Magistrate; 2 Magistrates, 1st class.

Kohat.—Additional District Magistrate; 1 Extra Assistant Commissioner.

The Courts at Bannu and Dera Ismail Khan were inspected in the spring. The office of Judicial Commissioner was held by Mr. A. L. P. Tucker, C.I.E., I. C. S., during the first three months of the year, and subsequently by the writer of this report.

27. A prominent question in the criminal administration of the border land as has been already seen is the immense volume of spurious litigation. The failure of the Courts to apply the correctives provided by law has already been commented on. A stiffening of the moral fibre of the Courts should work an improvement in this direction, but it is doubtful whether the evil can be eradicated without the help of the people themselves. It might be possible to devise some local machinery, at least in some parts of the Province, on the lines of the communal courts in Egypt, to deal with petty disputes and to assist the authorities in taking preventive measures with regard to the more serious form of crime.

28. As regards procedure, the officiating Judicial Commissioner concurs in the remarks of the District Magistrate of Peshawar, which are reproduced below. It may be added that an immense amount of energy is wasted even by 1st class Magistrates in trying frivolous cases, which absorbs a great part of their time and so reacts unfavourably on the disposal of more important work. For example, Extra Assistant Commissioners in Peshawar convicted only 538 persons out of 2,953, who were brought before them, which compares very unfavourably with Bannu, where 312 were convicted out of 765. Much time is wasted on prolix judgments. Some Magistrates shirk a full enquiry in a doubtful or complex case, and suggest references to a *jirga* to avoid forming an independent opinion.

Mr. Bolton writes :—

"I fear there is a general tendency among Magistrates to pay less attention than formerly to rules of procedure. These are tedious to learn, but are of great value in securing the prompt and regular disposal of work and in restricting the opportunities of subordinates. In my inspections I have noticed that some Magistrates have not recorded evidence with their own hands, and it is the rule to find the examination of a complainant treated as a mere matter of form. This laxity is due in some cases to ignorance and in others to laziness, and the only remedy I can suggest is that Subordinate Magistrates should be subjected to longer and stricter periods of training."

29. A separate note is attached to this report regarding the discrepancies between Police and Judicial figures of serious crime.

W. P. BARTON,

Judicial Commissioner, North-West Frontier Province.

NOTE.

In paragraph 2 of the Government review on the Report on the Administration of Criminal Justice during the year 1911 a reference was made to the differences between the figures in the Police Report and those in the Criminal Administration Report. A similar reference in paragraph 4 of the Government review of the Criminal Administration Report for 1902 resulted in Mr. Bunbury's unofficial No. 51, dated 21st October 1903, to the Assistant Secretary to the Chief Commissioner, in which it was explained that the figures in the two reports cannot be reconciled or compared.

The statistics in the authorised statements of the two reports do not admit of comparison, so radically different are the classifications adopted in them. The broad distinction of cognizable and non-cognizable offences so prominent in the Police statements has no place in the statements of Criminal Administration Report, the latter dealing only with classes of crime, cognate offences being grouped together. Nor can the figures in the Provincial Appendix A of the Criminal Administration Report be compared with the statistics of serious crime given in Statement A of the Police Report. The former deals with such serious offences as are admitted to have occurred during the year under report, while columns 11, 12, 13 and 14 of the Police statement comprise in addition such true cases as occurred during the previous year or years, but were disposed of during the year under report.

The Police Report treats as dacoity offences falling under Sections 395, 397 and 398, Indian Penal Code, while the Judicial figures for dacoity also include cases tried under Sections 400, 401 and 402, Indian Penal Code. The Police returns for murder include cases falling under Section 396, Indian Penal Code, while the corresponding Judicial figures are confined to cases under Section 302, Indian Penal Code. Again, in cases where a double or triple murder occurs, the Police return two or three murders, as the case may be, whereas for the purposes of the Judicial statements a case in which one or more persons are tried at one trial for a double or triple murder would be treated as one case. District Magistrates were requested at the time the reports were under preparation to make an effort to reconcile the Judicial with the Police figures for the classes of crime comprised in Appendix A to the Criminal Administration Report, but although attempts were made in some cases the result was not a success.

I would suggest as the best method of dealing with the position that the Local Government should prescribe a statement on the lines of Appendix A for both reports. These should be prepared by the District Magistrate and the Superintendent of Police of each district in consultation, and any differences which may occur in their respective figures should be reconciled or explained. Cases in which more than one person has been murdered should be shown as one case of murder: similarly murders committed in the course of a dacoity (Section 396, Indian Penal Code) should be classed under the head of dacoity with murder.

The relation of the figures to facts in cases such as thefts, burglaries and serious cases of mischief will be to a considerable extent assured by a strict compliance with the orders recently issued directing that in such cases instituted on complaint and admitted to trial Magistrates shall, if the trial ends in failure, note whether the charge was false or merely unsubstantiated. The necessity for precautions in this respect is demonstrated by the figures for cases of the classes referred to in Statement A of the Police Report for the present year. For example, the Police show only 53 serious cases of mischief (Serial No. 27), whereas Magistrates' return 127 cases on trial though there were only 8 convictions. It may be safely inferred that more than half of the Magistrates' cases were groundless. Similarly as regards ordinary thefts (Serial No. 34) Magistrates show 472 trial cases with only 65 convictions. Most of the cases in which the trial failed were doubtless false. Instances might be multiplied, but it is unnecessary to pursue the subject further.

W. P. BARTON,

Judicial Commissioner.

(Imperial.)

JUDICIAL STATEMENT No. 1—(CIVIL AND CRIMINAL).

Statement showing the number of Judicial Divisions and the number of Officers exercising Appellate or Original Jurisdiction in the North-West Frontier Province on the last day of the year 1912, with the cost of tribunals.

Name of Province.		Area in square miles.	Population.	Number of divisions for Courts under Chief Court, but superior to Chief Courts of Districts.	Number of districts.	Number of sub-districts.	Total number of Officers exercising Original or Appellate Jurisdiction: Judges of Chief Court of Province.	Judges of other Courts superior to Chief District Courts.	Judges of Chief Courts of Districts.	Judges of District Courts other than Chief Courts.	Judges of other Subordinate Courts.	Total number of cases decided: Original. Regular.	Original. Miscellaneous.	Appeals. Regular.	Appeals. Miscellaneous.	Total receipts of the Courts.	Total charges of the Courts.	Remarks.
1		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
N.-W. FRONTIER PROVINCE.																		
Territory subject to the High Court.	Civil ...	13,197	2,196,933	2	5	16	1	2	5	27	36	28,239	6,017	1,639	183	446,261	926,178	
	Criminal ...			2	5	16	1	2	5	34	100	17,798	10,918	1,343	93			
	Revenue ...			...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Territory not subject to the High Court.	Civil ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
	Criminal ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
	Revenue ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	

Grades of Judicial Officers.		Europeans.	Natives.
Officers exercising both original and appellate jurisdiction.	High Court Judges	1	...
	Divisional Judges...	2	...
	District Judges ...	2	3
	Additional Judges	...	...
	Subordinate Judges	3	1
Officers exercising original jurisdiction only.	Small Cause Court Judges.	2	...
	Munsifs	...	7

(Imperial.) **JUDICIAL STATEMENT**

Statement of offences reported and of persons tried, convicted and acquitted

Description of Offence.		Number of offences reported.	Number of cases returned as true.	Number of cases brought to trial during the year.
1		2	3	4
Offences against the State, Chapter VI of the Indian Penal Code		...	...	...
Do. relating to the Army and Navy, Chapter VII		...	...	...
Do. against the public tranquility, „ VIII		251	175	173
Do. by or relating to public servants „ IX		17	14	15
Contempts of the lawful authority of public servants, Chapter X		206	199	198
False evidence and offences against public justice „ XI		102	93	93
Offences relating to coin and Government stamps „ XII		17	16	14
Do. do. to weights and measures, „ XIII		2	2	2
Do. affecting the public health, safety, convenience, decency and morals, Chapter XIV ...		65	45	43
Do. relating to religion, Chapter XV		38	19	17
Offences Affecting the Human Body, Chapter XVI.	Offences affecting life	591	536	481
	Causing of miscarriage, injuries to unborn childern, exposure of infants, and the concealment of births	20	14	8
	Hurt	4,131	2,902	2,854
	Wrongful restraint and wrongful confinement	204	144	131
	Criminal force and assault	906	632	610
	Kidnapping, forcible abduction, slavery and forced labour	120	60	56
	Rape	21	10	18
	Unnatural offence	49	43	41
Offences against property, Chapter XVII.	Theft	1,737	1,500	813
	Extortion	55	12	12
	Robbery and dacoity	237	163	96
	Criminal misappropriation of property	69	39	38
	Criminal breach of trust	523	262	250
	Receiving of stolen property	259	206	213
	Cheating	332	151	147
	Fraudulent deeds and disposition of property	6	4	3
	Mischief	1,230	801	680
	Criminal trespass	2,404	1,675	1,161
Offences relating to documents and to trade or property marks, Chapter XVIII		30	12	12
Criminal breach of contracts of service ... „ XIX		3	2	2
Offences relating to marriage ... ... „ XX		653	420	425
Defamation ... ... „ XXI		32	14	14
Criminal intimidation, insult and annoyance ... „ XXII		626	440	406
	Total ...	14,936	10,605	9,031
Offences under Special and Local Laws		10,657	9,161	8,980
	Grand total ...	25,593	19,766	18,011

No. 2—(Criminal).

of each class of offence in the North-West Frontier Province in the year 1912.

Number of persons.					Remarks.
Under trial during the year, including pending from previous year.	Acquitted or discharged.	Convicted.	Died, escaped or transferred to another Province.	Remaining under trial.	
5	6	7	8	9	10
...	...	...	...	...	
...	...	...	...	...	
1,208	519	575	3	111	Rs. 10 paid as compensation.
23	11	11	...	1	
341	169	157	1	14	„ 60 ditto.
144	53	80	...	11	„ 10 ditto.
28	17	11	...	...	
9	6	3	...	...	
84	36	48	...	...	„ 4 ditto.
47	45	1	...	1	
1,229	544	483	4	198	
27	13	14	...	...	
7,418	6,317	984	1	116	„ 638·8 ditto.
364	336	25	1	2	„ 133·0 ditto.
1,339	1,135	175	3	26	„ 153·0 ditto.
150	108	38	...	4	„ 93·0 ditto.
31	4	21	...	6	
80	30	43	...	7	„ 50·0 ditto.
1,677	1,151	495	...	31	„ 408 ditto.
30	25	5	...	...	
334	176	136	...	22	„ 64·0 ditto.
62	50	12	...	...	„ 20·0 ditto.
321	251	49	...	21	„ 67·0 ditto.
317	87	211	1	18	„ 10·0 ditto.
227	187	38	1	1	„ 110·0 ditto.
8	...	7	...	1	
1,840	1,693	112	...	35	„ 268·0 ditto.
3,005	2,497	430	1	77	„ 582·0 ditto.
20	18	2	...	...	„ 20·0 ditto.
2	1	1	...	...	
974	849	88	...	37	„ 255·0 ditto.
25	17	5	...	3	„ 50·0 ditto.
729	686	43	...	...	„ 113·0 ditto.
22,093	17,031	4,303	16	743	„ 3,118·8 ditto.
16,100	5,776	10,195	1	128	„ 27·0 ditto.
38,193	22,807	14,498	17	871	„ 3,145·8 ditto.

(Imperial.) JUDICIAL STATEMENT

Statement of offences reported and of persons tried, convicted and acquitted

Description of Offence.		Number of offences reported.	Number of cases returned as true.	Number of cases brought to trial during the year.
1		2	3	4
Offences under Local and Special Laws		...	...	...
Proceedings under the Code of Criminal Procedure		2,498	1,635	1,635
Breach of Laws relating to—				
Arms, ammunition and military stores	Act XI of 1878 ...	330	299	293
Canals	„ VIII of 1873 ...	421	332	332
Cantonments, Military	„ III of 1880 ...	729	729	729
Cattle trespass	„ I of 1871 ...	419	248	233
City chaukidars	„ XX of 1856 ...	...	...	...
Code of Civil Procedure...	„ V of 1908 ...	...	...	...
Companies Act	„ VI of 1882 ...	...	...	...
Contract Workmen	„ XIII of 1859 ...	400	325	273
Contract by workmen on Railways and Other Public Works	„ IX of 1860 ..	...	...	...
Criminal Tribes and Eunuchs	„ XXVII of 1871 ...	...	...	...
Cruelty to animals	„ XI of 1890 ...	65	65	65
Emigration	„ VII of 1871 ...	...	...	...
Excise on spirits and drugs	„ XII of 1896 ...	27	26	26
Factories	„ XV of 1881 ...	...	...	...
Farcy and Glanders	„ XIII of 1899 ...	...	...	...
Ferries	„ XVII of 1878 ...	10	10	9
Foreigners	„ III of 1864 ...	...	...	...
Forest	„ VII of 1878 & „ II of 1879 ...	291	291	232
Gambling	„ III of 1867 ...	44	40	40
Hackney and Stage Carriages	„ XVI of 1861 & „ XIV of 1879 ...	1,729	1,720	1,716
License Act	„ II of 1878 ...	...	...	...
Marriages, Christian	„ XV of 1872 ...	...	...	...
Municipalities	„ IV of 1873 & „ XX of 1891 ...	322	314	314
Murderous outrages	„ XXIII of 1867 & „ IX of 1872 ...	...	...	...
Mutiny Act	„ VII of 1867 ...	...	...	...
North-West Border Military Police Act	„ IV of 1904 ...	25	22	22
Opium	„ I of 1878 ...	...	...	...
Pleaders	„ XVIII of 1879 ...	...	...	...
Police	„ V of 1861 ...	845	845	854
Post Office	„ VI of 1898 ...	2	2	2
Printing Presses	„ XXV of 1867 ...	...	...	...
Prisons	„ XXVI of 1870 ...	4	4	4
Prostitutes	„ III of 1880 ...	...	...	...
Punjab Laws Act	„ IV of 1872 ...	673	652	620
Punjab Military Transport Animals Act	Punjab Act I of 1903 ...	16	16	16
Railways	Act IV of 1879 „ IX of 1890 ...	44	43	41
Registration	„ III of 1877 ...	...	...	...
Salt and Saltpetre	„ XII of 1882 ...	10	10	10
Stamps	„ II of 1899 ...	...	...	...
Telegraph	„ I of 1876 & „ XIII of 1885 ...	10	8	...
Treasure Trove	„ VI of 1878 ...	...	...	...
Vagrancy, European	„ IX of 1874 ...	...	...	...
Wandering and dangerous lunatics	„ XXXVI of 1858 ...	...	...	...
Explosives Act	„ IV of 1884 ...	...	...	...
Border Military Police Act	„ IV of 1904 ...	10	10	10
Minor Canals Act	„ III of 1905 ...	38	37	37
Serais Act	... ...	18	18	18
Poisons Act	... ...	1	1	1
	Total ...	8,981	7,702	7,530
Frontier Regulations.				
Regulation III of 1901, Section 22	... ...	22	22	16
Ditto „ 29	... ...	6	6	6
Ditto „ 30	... ...	111	45	42
Ditto „ 35	... ...	100	100	100
Ditto „ 36	... ...	83	78	78
Ditto „ 37	... ...	39	39	39
Ditto „ 40	... ...	466	464	464
Ditto „ 41	... ...	785	641	641
Ditto „ 46	... ...	52	52	52
Ditto „ 33	... ...	2	2	2
Ditto „ 43	... ...	10	10	10
	Total ...	1,676	1,459	1,450
	Grand Total ...	10,657	9,161	8,980

No. 2—(CRIMINAL).

of each class of offence in the North-West Frontier Province in the year 1912.

Number of Persons.					Remarks.
Under trial during the year, including pending from previous year.	Acquitted or discharged.	Convicted.	Died, escaped, or transferred to another province.	Remaining under trial.	
5	6	7	8	9	10
...	...	...	...	...	
3,825	2,179	1,628	1	17	
332	55	270	...	7	Rs. 22.
939	727	208	...	4	Rs. 5.
1,051	245	805	...	1	
623	523	98	...	2	
...	...	...	...	...	
...	...	...	...	...	
...	...	...	...	...	
520	468	39	...	13	
...	...	...	...	...	
...	...	...	...	...	
86	12	74	...	...	
...	...	...	...	...	
29	3	26	...	...	
...	...	...	...	...	
...	...	...	...	...	
13	7	6	...	...	
...	...	...	...	...	
544	190	300	...	54	
329	105	217	...	7	
1,943	172	1,768	...	3	
...	...	...	...	...	
...	...	...	...	...	
418	110	305	...	3	
...	...	...	...	...	
...	...	...	...	...	
33	5	28	...	...	
...	...	...	...	...	
...	...	...	...	...	
873	135	737	...	1	
2	1	1	...	...	
...	...	...	...	...	
4	...	4	...	...	
...	...	...	...	...	
1,078	267	803	...	8	
16	2	14	...	...	
71	11	60	...	...	
...	...	...	...	...	
16	2	14	...	...	
...	...	...	...	...	
...	...	...	...	...	
...	...	...	...	...	
...	...	...	...	...	
...	...	...	...	...	
...	...	...	...	...	
12	2	10	...	...	
81	55	18	...	8	
18	4	14	...	...	
1	...	1	...	...	
12,857	5,280	7,448	1	128	Rs. 27.
11	1	10	...	...	
9	6	3	...	...	
42	29	13	...	...	
316	40	276	...	...	
131	18	113	...	...	
40	10	30	...	...	
1,180	131	1,049	...	...	
1,373	191	1,182	...	...	
115	57	58	...	...	
3	3	3	...	...	
23	10	13	...	...	
3,243	496	2,747	...	...	
16,100	5,776	10,195	1	128	Rs. 27,

(Imperial.)

JUDICIAL STATEMENT No. 3—(CRIMINAL).

Statement of miscellaneous proceedings under the Criminal Procedure Code in the North-West Frontier Province during the year 1912.

NATURE OF PROCEEDINGS.	Total number of cases before the Courts during the year.	Number of persons concerned.	Number of persons discharged.	Number of persons convicted.	REMARKS.
1	2	3	4	5	6
1. Proceedings against witnesses under Chapter VIC and Section 485.	...	...	...	...	
2. Proceedings under Chapter VIII to prevent breach of the peace, and Sections 40, 41 and 46, Frontier Crimes Regulation.	2,309	6,106	2,558	3,548	
3. Proceedings under Chapter VIII, security for good behaviour.	485	503	117	372	
4. Proceedings against local nuisances, Chapter X	8	27	27	...	
5. Possession, Chapter XII	127	357	277	80	
6. Frivolous or vexatious accusations summarily dealt with under Chapter XX, Section 250.	205	206	...	206	
7. Non-attendance of Jurors or Assessors, Chapter XXIII, Section 332.	...	...	...	...	
8. Maintenance, Chapter XXXVI ...	223	224	190	34	
9. Forfeiture of bail or recognizance under Chapter XLII.	87	151	37	114	
10. Proceedings under Chapter XLVI, Section 563, against convicted offenders released under Section 562.	18	21	...	21	
TOTAL ...	3,462	7,595	3,206	4,375	

(Imperial.)

Judicial Statement No. 4—(CRIMINAL).

Statement showing the General Result of Criminal Trials in the Tribunals of various classes in the North-West Frontier Province in the year 1912.

CLASS OF COURTS.	Total number of persons under trial.	PERSONS WHOSE CASES WERE DISPOSED OF.										Committed or referred.	Persons remaining under trial at the end of the year.	Number of cases disposed of during the year.	Average number of days during which each case lasted.	Number of witnesses examined.	REMARKS.
		Died, escaped, or transferred to another province.	Discharged or acquitted.	CONVICTED.													
				On regular trial.				On summary trial.									
				Sentence passed.	Released on probation, Section 562, Criminal Procedure Code.	*Youthful offenders dealt with under Section 31, Act VIII of 1897.*		Sentence passed.	Released on probation, Section 562, Criminal Procedure Code.	*Youthful offenders dealt with under Section 31, Act VIII of 1897.*							
						Discharged after admonition.	Delivered to parent or guardian, &c.			Discharged after admonition.	Delivered to parent or guardian, &c						
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
Village officers	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Subordinate Magistrates. Special Magistrates under Section 14 ...	171	...	43	127	...	...	...	...	...	...	...	...	1	108	4	126	
Subordinate Magistrates. Honorary Magistrates sitting singly ...	3,178	...	2,168	955	1	...	...	...	...	...	...	17	37	1,319	10	2,797	
Subordinate Magistrates. Stipendiary ditto ...	28,139	11	18,363	7,635	4	...	...	1,113	1	...	...	374	638	12,707	10	21,916	
Subordinate Magistrates. Benches of Magistrates	2,303	...	1,016	926	...	...	...	334	...	...	...	...	27	1,705	4	1,333	
District and Divisional Magistrates—Cases referred under Sections 347 and 349, C. P. C.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	
Chief Magistrates of Districts	4,506	3	1,131	3,251	...	...	...	6	...	...	...	18	97	1,808	12	516	
Courts of Sessions	348	3	85	122	...	...	...	...	...	...	...	76	62	127	37	1,672	
Superior Courts	33	...	1	23	...	...	...	...	...	...	...	...	9	24	22	...	
Total ...	38,678	17	22,807	14,498	5	...	...	1,453	1	...	...	485	871	17,798	9	28,360	

(Imperial.)

Judicial Statement No. 5—(Criminal).

Statement showing the Punishments inflicted by the various criminal tribunals in the North-West Frontier Province in the year 1912.

Class of Tribunals.	Persons sentenced to								Persons ordered to find or give security or recognizance to keep the peace or sureties for good behaviour.	Persons imprisoned in default of security for good behaviour.	Detail of Punishments.																Number of boys whose sentences were commuted to detention in a Reformatory School.
											Fine.									Imprisonment.					Whipped.			
	Death.	Transportation.	Penal servitude.	Imprisonment. Rigorous.	Imprisonment. Simple.	Forfeiture of property.	Fine.	Whipping.			Rs. 10 and under.	Rs. 50 and under.	Rs. 100 and under.	Rs. 500 and under.	Rs. 1,000 and under.	Above Rs. 1,000.	Total amount of fines imposed during the year.	Total amount of fines realized during the year.	Amount paid by way of compensation.	15 days and under.	6 months and under.	2 years and under.	7 years and under.	Above 7 years.	10 stripes and under.	20 stripes and under.	30 stripes and under.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29
Village officers	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Subordinate Magistrates. Special Magistrates under Section 14	...	...	...	22	3	...	108	...	...	...	77	30	1	...	...	...	797	757	...	17	7	1	...	...	...	...	...	...
Subordinate Magistrates. Honorary Magistrates sitting singly	...	...	...	97	3	...	295	...	40	...	187	98	7	3	...	...	4,742	3,646	572	19	56	17	8	...	...	...	...	...
Subordinate Magistrates. Stipendiary Magistrates „ „	...	...	...	2,359	84	...	6,234	102	1,458	6	4,792	1,259	126	52	3	2	75,158	52,645	7,120	363	1,494	446	115	31	29	47	26	...
Subordinate Magistrates. Benches of Magistrates ...	...	...	...	50	4	...	1,225	...	...	...	1,153	68	4	...	...	...	3,978	3,651	49	3	51	...	...	...	...	...	...	...
District and Divisional Magistrates' cases referred under Sections 347 and 349, C. P. C.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Chief Magistrates of Districts ...	...	...	...	293	1	...	272	18	1,815	31	84	78	38	70	1	1	22,350	20,925	3,705	37	47	39	124	78	6	9	3	...
Courts of Sessions	...	47	...	67	...	...	14	...	4	3	1	5	4	4	...	...	1,810	5,521	620	...	10	18	33	9	...	...	...	...
Superior Courts	15	7	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...
Total ...	15	54	...	2,889	95	...	8,148	120	3,317	40	6,294	1,538	180	129	4	3	108,844	87,145	12,066	439	1,665	522	280	118	35	56	29	...

(Imperial.)

JUDICIAL STATEMENT No. 5 A—(CRIMINAL).

STATEMENT SHOWING THE PARTICULARS OF WHIPPINGS INFLICTED BY THE CRIMINAL TRIBUNALS DURING THE YEAR 1912.

PART I.

Showing whippings inflicted under Sections 2 and 3, Act VI of 1864, in lieu of other punishments.

OFFENCES FOR WHICH AWARDED.	NUMBER OF STRIPES AWARDED.			TOTAL.
	5 to 10 stripes.	11 to 20 stripes.	21 to 30 stripes.	
In lieu of other punishments.				
(Sections 2 and 3, Act IV of 1864.) —				
1. Theft as defined in ... Section 378, I. P. C.	18	12	4	34
„ 380, „ ...	2	2	1	5
„ 381, „ ...	1	...	...	1
„ 382, „ ...	...	2	...	2
2. Extortion as defined in ... „ 388, „ ...	...	...	...	...
„ 389, „ ...	...	...	...	...
3. Dishonestly receiving stolen property as defined in ... ... „ 411, „ ...	3	3	1	7
„ 412, „ ...	...	...	...	...
4. Lurking house-trespass as defined in ... „ 443, „ ...	1	...	...	1
5. Lurking house-trespass by night as defined in ... ... „ 444, „ ...	...	1	...	1
6. House-breaking as defined in ... „ 445, „ ...	...	1	1	2
7. House-breaking by night as defined in „ 446, „ ...	...	2	...	2
8. Offence defined in ... ... „ 304-A, „ ...	1	...	...	1
9. Offence under Section 52 of the Prisons Act, 1894 ...	...	...	...	...
10. „ „ 323, I. P. C. ...	1	...	...	1
11. „ „ 143, „ ...	1	...	...	1
12. „ „ 325, „ ...	...	2	...	2
On first conviction	28	25	7	60
On re-conviction	...	...	...	...
Total ...	28	25	7	60

PART II.

Showing whippings inflicted in addition to other punishments, Sections 3 and 4, Act VI of 1864.

OFFENCES FOR WHICH AWARDED.	NUMBER OF STRIPES.			TOTAL.
	5 to 10 stripes.	11 to 20 stripes.	21 to 30 stripes.	
In addition to other punishments.				
(Sections 3 and 4.)				
A.—SECTION 3.				
1. Theft as defined in ... ... Section 378, I. P. C.	...	3	2	5
„ 380, „ ...	...	...	...	...
„ 381, „ ...	...	...	...	...
„ 382, „ ...	...	...	...	...
2. Extortion as defined in ... ... „ 388, „ ...	...	...	...	...
„ 389, „ ...	...	...	...	...
3. Dishonestly receiving stolen property as defined in ... ... „ 411, „ ...	...	...	...	...
„ 412, „ ...	...	...	...	...
4. Lurking house-trespass as defined in „ 443, „ ...	...	...	...	...
5. Lurking house-trespass by night as defined in ... ... „ 444, „ ...	...	8	...	8
6. House-breaking as defined in ... „ 445, „ ...	...	...	...	...
7. House-breaking by night as defined in „ 446, „ ...	...	...	...	...
8. Offence under Section 52 of the Prisons Act, 1894 ...	...	...	...	...
B.—SECTION 4.				
1. False evidence as defined in ... Section 193, I. P. C.	...	...	...	...
„ 194, „ ...				
„ 195, „ ...	...	...	...	...
2. False charge of unnatural offence as defined in ... ... Sections 211 and 377, „ ...	...	...	...	...
3. Assault as defined in ... ... Section 354, „ ...	...	...	...	...
4. Rape as defined in ... ... „ 375, „ ...	...	...	1	1
5. Unnatural offence as defined in ... „ 377, „ ...	...	6	4	10
6. Robbery as defined in ... „ 392, „ ...	...	1	3	4
7. Dacoity as defined in ... „ 391, „ ...	...	...	...	...
8. Attempt at robbery as defined in ... „ 393, „ ...	...	...	...	...
9. Hurt in committing robbery as defined in „ 394, „ ...	...	1	...	1
10. Ditto ditto ... „ 307, „ ...	...	...	2	2
„ 324, „ ...	...	1	1	2
„ 325, „ ...	2	...	...	2
11. Ditto ditto ... „ 326, „ ...	4	9	2	15
„ 468, „ ...	...	...	...	...
„ 469, „ ...	...	...	..	...
12. Lurking house-trespass as defined in ... „ 443, „ ...	...	...	...	...
13. Lurking house-trespass by night as defined in ... ... „ 444, „ ...	...	...	...	...
14. House-breaking as defined in ... „ 445, „ ...	...	...	...	...
15. House-breaking by night as defined in ... „ 446, „ ...	...	1	...	1
Total ...	6	30	15	51

PART III.

Showing whippings inflicted under Section 5, Act VI of 1864, on juveniles for offences other than those specified in Parts I and II.

Offence.	Stripes.			Total.
	5 to 10 stripes.	11 to 20 stripes.	21 to 30 stripes.	
Section 130, Railways Act	...	1	...	1
Section 334, Indian Penal Code	1	...	...	1
Section $\frac{377}{511}$, ditto	...	3	...	3
Section 379, ditto	...	2	...	2
Section 387, ditto	...	...	1	1
Section 409, ditto	...	1	...	1
On first conviction	1	7	1	9
On re-conviction	...	...	...	...
Total ...	1	7	1	9

PART IV.

Showing the relative number of times whipping was awarded as compared with other punishments in cases in which whipping might have been awarded.

Punishments.	Number.	Remarks.
1. Total number of whippings awarded	120	
2. Total number of other punishments in cases in which whipping might have been awarded.	1,038	
3. Total number of all punishments in cases in which whipping might have been awarded (total of headings 1 and 2).	1,138	
4. Percentage of whippings on total number of all punishment (percentage of heading 1 on heading 3).	11	

(Imperial.)

JUDICIAL STATEMENT No. 6—(CRIMINAL).

Statement showing the Results of Appeal and Revision in Criminal cases in the North-West Frontier Province in the year 1912.

Tribunals.	Number of Persons.											Average number of days during which each apeal lasted.	Remarks.
	Total number of appellants and applicants for revision before the Court.	Died, escaped, transferred to another province.	Appeals or applications rejected.	Sentence or order confirmed.	Sentence enhanced.	Sentence reduced or otherwise altered.	Sentence reversed.	Proceedings quashed.	New trial or further enquiry ordered.	Referred for revision to the High Court.	Pending trial.		[Showing number of persons dealt with under Section 106 (3) of the Code or under Section 8, clause (2), of the Reformatory Schools Act.]
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Appeal.													
To Chief Magistrates of Districts	840	...	109	378	16	102	165	...	42	...	28	10	
„ Courts of Sessions	707	...	234	207	15	141	62	6	10	...	32	7	
„ Superior Courts { by persons convicted ...	194	...	26	62	5	46	19	...	...	...	36	26	
„ Superior Courts { by Government from judgments of acquittal ...	1	1*	...	...	...	...	...	...	...	...	...	...	* Escaped.
Total ...	1,742	1	369	647	36	289	246	6	52	...	96	10	
Revision.													
By Chief Magistrates of Districts	209	...	140	...	...	...	...	...	46	7	16	9	
„ Courts of Sessions	147	...	106	...	...	...	...	...	11	21	9	13	
„ Superior Courts	215	...	74	25	16	39	41	...	5	...	15	20	
Total ...	571	...	320	25	16	39	41	...	62	28	40	14	
Grand Total ...	2,313	1	689	672	52	328	287	6	114	28	136	11	

(Imperial)

JUDICIAL STATEMENT No. 13—(CRIMINAL).

Statement showing the use of Juries and Assessors in the Criminal Courts in the North-West Frontier Province in the year 1912.

Class of Courts in which Jurors or Assessors are employed.	Established or average number of Assessors in each case and prescribed qualifications.	Number of accused persons in Jury Trials.				Number of accused persons in trials with Assessors.				Remarks.
		Tried.	*As to whom the Judge.*			Tried.	*As to whom the Judge.*			
			Approved verdict.	Did not approve of verdict.	Made reference under Section 307, Criminal Procedure Code.		Agreed with all the Assessors.	Differed from one or more, but not from all the Assessors.	Differed from all the Assessors.	
1	2	3	4	5	6	7	8	9	10	11
Magistrates' Courts under Chapter X, Criminal Procedure Code—Jurors.	...	...	...	...	...	...	...	...	...	
Courts of Sessions—Jurors	...	...	...	...	...	...	...	...	...	
Courts of Sessions—Assessors	3	...	...	...	...	253	167	18	50	Assessors have been employed in cases committed to the Court of Sessions.
High Court, Original (Criminal) Jurisdiction—Jurors.	....	...	...	...	...	...	....	...	...	
TOTAL ...	3	...	...	...	...	253	167	18	50	

PROVINCIAL APPENDIX A.

Statement of serious offences under the Indian Penal Code admitted to have occurred during the year 1912 in each district of the North-West Frontier Province.

Offences.	Section of Indian Penal Code.	Offences admitted to have occurred.								
		Peshawar.	Hazara.	Kohat.	Bannu.	Dera Ismail Khan.	Total 1912.	Total 1911.	Total 1910.	Total 1909.
Rioting	147 and 148	30	34	14	10	14	102	147	110	119
Murder	302	165	25	76	48	14	328	260	317	247
,, attempt ...	307	59	8	35	16	...	118	79	87	67
Culpable homicide ...	304	38	16	4	6	6	70	73	65	54
Hurt with aggravation ...	325 to 331 and 333.	143	102	37	72	30	384	350	320	314
Kidnapping	363 to 369	12	3	12	20	7	54	52	37	73
Rape	376	3	2	1	3	1	10	12	9	12
Unnatural offence ...	377	34	2	1	3	3	43	32	22	16
Theft	379 to 382 and 401.	381	290	170	169	188	1,198	959	914	907
Robbery	392 to 394	21	17	19	9	5	71	65	55	39
Dacoity with murder ...	396	...	1	1	...	4	6	17	16	20
,, other cases ...	395 to 397, 400 and 402.	22	18	19	9	18	86	85	113	59
Receiving stolen property...	411 to 414	98	33	28	21	26	206	204	246	209
Mischief with aggravation	429 to 433 435 to 440.	49	104	51	17	32	253	179	123	145
Criminal trespass resulting in death, etc.	459 and 460	17	6	...	...	2	25	14	11	17
Ditto for commission of other serious offences.		344	244	150	131	164	1,033.	940	682	856
Total 1912 ...	...	1,416	905	618	534	514	3,987	...	...	...
Total 1911 ...	...	1,125	717	578	553	495	...	3,468	...	...
Total 1910 ...	...	1,213	556	451	519	388	...	...	3,127	...
Total 1909 ...	...	1,208	599	457	469	421	...	...	...	3,154

PROVINCIAL APPENDIX B.

Statement showing Criminal References to Councils of Elders under Section 11 of the Frontier Crimes Regulation and persons disposed of after such references in each district during the years 1910, 1911 and 1912.

District.	References to Councils of Elders under Section 11 of the Frontier Crimes Regulation disposed of.			Number of persons.						Percentage of conviction.		
				Tried.			*Convicted.*					
	1910.	1911.	1912.	1910.	1911.	1912.	1910.	1911.	1912.	1910.	1911.	1912.
Peshawar ...	102	135	123	273	515	417	108	189	209	40	37	50
Hazara ...	39	29	42	151	172	114	62	96	38	41	56	33
Kohat ...	76	157	57	407	284	162	244	154	61	60	54	38
Bannu ...	63	88	101	203	218	256	77	100	130	38	46	51
Dera Ismail Khan	18	20	44	58	57	122	42	28	56	73	49	46
Total ...	298	429	367	1,092	1,246	1,071	533	467	494	49	37	46

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